

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of)
)
Inventor(s): Coogan et al)
)
Appln. No. 10/540,914) Group Art Unit: 1714
)
Filed: 25 October 2005) Examiner: NILAND, P D
)
Title: AQUEOUS POLYURETHANE)
COMPOSITION FOR LOW GLOSS)
COATINGS)

DECLARATION OF RICHARD COOGAN

Commissioner of Patents and Trademarks
U.S. Patent and Trademark Office
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

I, Richard Coogan of the USA, do HEREBY SOLEMNLY AND SINCERELY DECLARE AS FOLLOWS:

1. I am a Manager of Research at DSM NeoResins Inc. with PhD in organic chemistry.
2. I have read and understood the specifications of WO 01/02455 (US 6559225).
3. I have read and understood the specification of US Patent Application No 10/540,914. I understand that the Examiner has raised WO 01/02455 (US 6559225) as being of relevance to said U.S. Patent Appln. No. 10/540,914.
4. Under my supervision examples 1 to 4 of WO 01/02455 were repeated and the gloss of the resultant coatings was measured in accordance with ASTM D523-89.
5. The values of the gloss measurements are given below in the Table:

| Example 1 | Example 2 | Example 3 | Example 4 |
|-----------|-----------|-----------|-----------|
| 89 | 91 | 74 | 81 |
| 103 | 99 | 94 | 95 |
| 45.9 | 43.0 | 59.8 | 211.3 |

6. For a coating to be considered low gloss the 60 ° gloss needs to be less than 40 (page 2 line 16, U.S. Patent Appln. No. 10/540,914).

7. The 60 ° gloss in Examples 1 to 4 in WO 01/02455 is over 80 and they are therefore not low gloss coatings.
8. I DECLARE that all statements made of my own knowledge are true and that all statements made on information and belief are conscientiously believed to be true, and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment or both (18USC 1001) and may jeopardize the validity of this patent application or any patent issuing thereon.

And I make this solemn declaration,

DECLARED at Wilmington, Massachusetts, USA this 17th day of November 2006.


Richard Coogan